

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 ERNEST BUSTOS,

6
7 Plaintiff,

8 vs.

9 GREGG A. DENNIS, d/b/a IIS BENEFIT
10 ADMINISTRATORS, *et al.*,

11 Defendants.

2:17-cv-00822-KJD-VCF

ORDER GRANTING DEMAND FOR
SECURITY COSTS

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14 Before the Court is Defendants Gregg A. Dennis, Investment Insurance Services, Inc. and Southern
15 Nevada Benefit Administrators LLC's Demand for Security Costs (ECF NO. 59). Defendants demand
16 that Plaintiff post a cost bond in the amount of \$1,500 under NRS 18.130(1).

17 The statute allows a defendant in an action brought by an out-of-state plaintiff to demand that the
18 plaintiff post a bond to secure costs up to \$500 for each defendant. Here, Plaintiff is an individual residing
19 in Texas. Once the demand is filed and served, "all proceedings in the action shall be stayed" until the
20 cost bond is deposited. If the bond is not posted within 30 days of the demand, the defendant may move
21 for dismissal. Here, Plaintiff is an individual residing in Texas. Because a court order is required in this
22 district for the Clerk of Court to permit the posting of a cost bond, the demand is tracked as a motion in
23 the court's system.

24 On April 26, 2018, Plaintiff filed a response attaching three affidavits, each affidavit states that
25 Plaintiff has posted a cost bond for Defendants Gregg A. Dennis, Investment Insurance Services, Inc. and

1 Southern Nevada Benefit Administrators LLC. (ECF No. 60-1). Upon review of ECF No. 60-1, pages 3,
2 7, and 11, it would seem as though Plaintiff may have deposited the money to state court. The court's
3 accounting department verified that no cost bond has been posted in this matter. For Plaintiff's reference,
4 this court's address is listed below:

5
6 Lloyd D. George U.S. Courthouse
7 U.S. District Court
8 District of Nevada – Las Vegas
9 333 Las Vegas Blvd. South
10 Las Vegas, Nevada 89101

11 Accordingly, with good cause appearing, IT IS HEREBY ORDERED that Defendants Gregg A.
12 Dennis, Investment Insurance Services, Inc. and Southern Nevada Benefit Administrators LLC's Demand
13 for Security Costs (ECF NO. 59) is GRANTED. In the event that the cost bond is presented for deposit,
14 the CLERK OF COURT is directed to accept the deposit of \$1500.00 under NRS 18.130 as security for
15 costs and charges that may be awarded against the plaintiff. The plaintiff must bring a copy of this order
16 to the Clerk's office when making this deposit.

17 IT IS FURTHER ORDERED that this case is stayed by operation of NRS 18.130(1) until the
18 \$1500 cost bond is deposited.

19 DATED this 8th day of May, 2018.

20 
21 CAM FERENBACH
22 UNITED STATES MAGISTRATE JUDGE
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